

KELLER BENVENUTTI KIM LLP  
Jane Kim (#298192)  
(jkim@kbkllp.com)  
David A. Taylor (#247433)  
(dtaylor@kbkllp.com)  
Thomas B. Rupp (#278041)  
(trupp@kbkllp.com)  
650 California Street, Suite 1900  
San Francisco, CA 94108  
Tel: 415 496 6723  
Fax: 650 636 9251

## *Attorneys for Debtors and Reorganized Debtors*

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

In re:

## **PG&E CORPORATION,**

- and -

# **PACIFIC GAS AND ELECTRIC COMPANY,**

## **Debtors.**

- Affects PG&E Corporation
- Affects Pacific Gas and Electric Company
- Affects both Debtors

\* All papers shall be filed in the Lead Case, No. 19-30088 (DM).

Bankruptcy Case No. 19-30088 (DM)

## Chapter 11 (Lead Case) (Jointly Administered)

**DECLARATION OF THOMAS B. RUPP IN  
SUPPORT OF REORGANIZED DEBTORS'  
STATUS CONFERENCE STATEMENT  
REGARDING REORGANIZED DEBTORS'  
OBJECTION TO AMENDED PROOF OF  
CLAIM NO. 108715 FILED BY DAVID P.  
ADDINGTON**

**[Related to Docket No. 12948]**

Date: January 10, 2023

Time: 10:00 a.m. (Pacific Time)

Place: (Zoom Videoconference Appearances Only)  
United States Bankruptcy Court  
Courtroom 17, 16th Floor  
San Francisco, CA 94102

1 I, Thomas B. Rupp, pursuant to section 1746 of title 28 of the United States Code, hereby declare  
2 under penalty of perjury that the following is true and correct to the best of my knowledge, information,  
3 and belief:

4 1. I am an attorney with Keller Benvenutti Kim LLP, co-counsel to the Reorganized Debtors  
5 in the above captioned Chapter 11 Cases. I am licensed to practice law in the State of California and  
6 admitted to practice before the United States District Court for the Northern District of California. I  
7 submit this Declaration in support of the *Status Conference Statement Regarding Reorganized Debtors'*  
8 *Objection to Amended Proof of Claim No. 108715 Filed by David P. Addington* (the “**Status Conference**  
9 **Statement**”), filed contemporaneously herewith.

10 2. If called upon to testify, I would testify competently to the facts set forth in this  
11 declaration. I am authorized to submit this declaration on behalf of the Reorganized Debtors.

12 3. Since the December 13, 2022 status conference and through the holidays, I have been  
13 communicating regularly with Mr. Addington in an effort to reach a stipulation with respect to the  
14 process and timing of litigating his claims in these Chapter 11 Cases.

15 4. On December 16, 2022, I sent Mr. Addington a letter addressing a number of issues  
16 raised at the December 13, 2022 status conference. A true and correct copy of my letter is attached  
17 hereto as **Exhibit A**.

18 5. On December 19, 2022, I received a responsive letter from Mr. Addington in which he  
19 stated his intention “to file a second amended proof of claim based on the document production recently  
20 made by PG&E.” He proposed to share a draft of the amended proof of claim with PG&E by January 16,  
21 2023. Later that day, Mr. Addington reiterated his intention and proposed timing to me by telephone.  
22 A true and correct copy of Mr. Addington’s December 19, 2022 letter is attached hereto as **Exhibit B**.

23 6. On December 30, 2022, I received an e-mail from Mr. Addington in which he suggested  
24 that that he had not yet decided whether he would “seek to amend [his] claim such that the issues raised  
25 in the summary judgment motion are no longer applicable or attempt to refute the rational[e](s) for  
26 dismissal or some combination of these two things.” A true and correct copy of Mr. Addington’s  
27 December 30, 2022 e-mail is attached hereto as **Exhibit C**.

28 7. On Friday, January 6, Mr. Addington indicated to me that he would agree to the terms  
Case: 19-30088 Doc# 13420 Filed: 01/09/23 Entered: 01/09/23 12:47:00 Page 2  
of 3

1 and schedule set forth in Section IV of the Status Conference Statement, and execution copies of a  
2 stipulation and proposed order were sent to Mr. Addington on the morning of Saturday, January 7.  
3 However, on the evening of Sunday, January 8, Mr. Addington e-mailed me to express his objection to  
4 the condition that he would not seek to file any further amended claims in these Chapter 11 Cases except  
5 pursuant to the stipulated schedule, despite his not previously raising this issue when the same term was  
6 included in every previous draft stipulation shared with him.

7 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and  
8 correct to the best of my knowledge, information, and belief. Executed this 9th day of January, 2023,  
9 in Sunnyvale, California.

10  
11 By: /s/ Thomas B. Rupp  
12 Thomas B. Rupp  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28